

REMARKS

This is a response to the Office Communication mailed September 6, 2007 (**Final Action**). The statutory deadline for filing a response is December 6, 2007. Therefore, Applicants believe that this response is being timely filed. Applicants also submit herewith a Request for Continued Examination (RCE) and the appropriate fee. The RCE is submitted to allow entry and consideration of the above amendments. Applicants believe that the fees submitted herewith are sufficient. However, in the event that Applicants are incorrect in their assumption, please charge any necessary fee to Deposit Account No. 23-2415, referencing Docket No. 31747-706.201.

By the above amendments, Claims 2-4 have been rewritten in independent form. The remaining claims have been cancelled. Applicants offer this amendment to expedite allowance of the subject application. Applicants expressly reserve the right to pursue cancelled subject matter in divisional and/or continuation applications. In particular, the Examiner has indicated that Claims 37-39 were withdrawn from consideration as directed to non elected subject matter. Applicants will pursue those claims in one or more divisional applications.

Claims 2-4 were indicated as allowable in the prior Office Action dated December 26, 2007. However, Claims 2-4 were subject to rejection under 35 U.S.C. 112, first paragraph, allegedly in view of the amendment to Claim 1 interposed in the reply filed on June 26, 2007. While Applicants respectfully disagree with the positions now taken in the outstanding Office Action, Applicants have cancelled Claim 1 and the objections to Claims 2, 3 and 4 are believed to be rendered moot.

Claim Rejections – 35 U.S.C. §112

Claims 1-11 were rejected under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description. This rejection is respectfully traversed for at least the following reasons.

Claim 1 has been cancelled. Accordingly, the rejection is believed to be rendered moot. Thus withdrawal of the rejection is in order and such favorable action is respectfully requested.

Claim Rejections – 35 U.S.C. §102

Claims 1 and 5-8 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Hubertus et al, U.S. Patent No. 6,071,520. This rejection is respectfully traversed for at least the following reasons.

Serial No.: 10/797,626

Filed: March 9, 2004

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As indicated above, Applicants have amended the claims to expedite allowance of the subject application. Applicants believe that Claims 2, 3 and 4 remain free from the art rejection.

Withdrawal of the rejection is in order and is respectfully requested.

In view of the above amendments and remarks, Applicants believe that the application is in condition for allowance. Such favorable action is respectfully requested.

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CONCLUSION

In view of the remarks and amendments submitted herein, Applicants believe that the Application is in condition for allowance and such favorable action is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (858) 350-2337.

Respectfully submitted,

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